

10/574167

IAP5 Rec'd PCT/PTO 29 MAR 2006

March 29, 2006

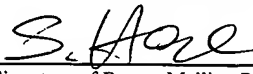
CERTIFICATE OF EXPRESS MAILING
(37 C.F.R. §1.10)

EV669528632US

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail Envelope No: EV 669528632 US addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 29, 2006
Date of Deposit

Sara Hare
Name of Person Mailing Paper


Signature of Person Mailing Paper

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Title: USE OF CELL LINES TO PRODUCE ACTIVE THERAPEUTIC PROTEINS
Attorney Docket No: 8028-007-US

Dear Commissioner:

Enclosed please find the following documents related to the above-identified matter:

1. Transmittal Letter (3 pages);
2. Form PTO-1390 (3 pages in duplicate);
3. Copy of PCT application (117 pages);
4. Copy of Amendment Before the IPEA submitted Oct 28, 2005 (19 pages);
5. Application Data Sheet (3 pages);
6. Preliminary Amendment (11 pages);
7. Copy of Declaration (2 page);
8. Power of Attorney & Statement under 37 CFR 3.73(b); and

The self-addressed, stamped postcard has been included for your convenience. After confirming receipt of these documents please return the postcard to us at your earliest convenience. Should you have any questions, please do not hesitate to contact me by phone at (858) 450-0099.

Sincerely yours,



Michael B. Farber, Esq.
Reg. No. 32,612

Enclosures

10/574167

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Examiner: To Be Assigned
)	
Bush et al.)	Group Art Unit: To Be Assigned
)	
Serial No.: U.S. National Stage of)	
PCT/US04/33260)	Docket No.: 8028-007-US
)	
Filed: Herewith)	Date Mailed: March 29, 2006
)	
For: USE OF CELL LINES TO)	
PRODUCE ACTIVE THERAPEUTIC)	
PROTEINS)	

TRANSMITTAL LETTER

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This submission is to effect entry of PCT Application PCT/US04/33260 into the United States National Stage under 35 U.S.C. § 371 and 37 C.F.R. § 1.495.

Accordingly, the following documents are transmitted:

(1) A copy of the above-identified PCT application. Because the above-identified PCT application was filed in the United States Patent and Trademark Office, the copy is not required under 37 C.F.R. § 1.495(b)(i). The copy is provided for convenience.

(2) A copy of the Amendment Before the International Preliminary Examining Authority submitted on October 28, 2005.

(3) An Application Data Sheet Under 37 C.F.R. § 1.76 giving biographical information on the inventors of the above-identified application as well as details of the claim for priority based on a previously-filed provisional application.

(4) A Preliminary Amendment Under 37 C.F.R. § 1.121 to amend the specification and claims of the above-identified application for entry into the United States National Stage.

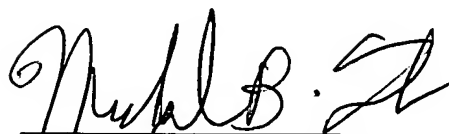
(5) A copy of the Declaration as to inventorship previously executed by all inventors under PCT Rule 4.17(iv). This Declaration fulfills the requirements of 37 C.F.R. § 1.497 for the required oath or declaration under 35 U.S.C. § 371(c)(4).

(6) A fee payment of \$1200.00, reflecting: (a) the basic national stage fee of \$150.00 for a small entity under 37 C.F.R. § 1.492(a); (b) the national stage search fee of \$50.00 for a small entity under 37 C.F.R. § 1.492(b)(2) for a PCT Application in which the United States Patent and Trademark Office was the International Searching Authority; (c) the national stage examination fee of \$100.00 for a small entity under 37 C.F.R. § 1.492(c)(2); (d) additional claims fees of \$ 800.00 for 52 total claims (32 in excess of 20) and of \$100.00 for 4 independent claims (1 in excess of 3). This fee payment is for a small entity.

Priority under 35 U.S.C. §§ 119 and 365 is hereby claimed for the national stage application. This priority is claimed to: (1) PCT Application No. PCT/US04/33260, filed on October 7, 2004, and designating the United States; and (2) United States Provisional Application Serial No. 60/510,509, filed on October 10, 2003, from which PCT Application No. PCT/US04/33260 claimed priority.

Respectfully submitted,

Date: March 29, 2006

A handwritten signature in black ink, appearing to read "Michael B. Farber", written over a horizontal line.

Michael B. Farber, Ph.D., Esq.

CATALYST LAW GROUP, APC
9710 Scranton Road, Suite 170
San Diego, California 92121
(858) 450-0099
(858) 450-9834 (Fax)

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 8028-007-US
INTERNATIONAL APPLICATION NO. PCT/US04/33260		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) TBD
INTERNATIONAL FILING DATE October 7, 2004		PRIORITY DATE CLAIMED 10/374167
TITLE OF INVENTION USE OF CELL LINES TO PRODUCE ACTIVE THERAPEUTIC PROTEINS		
APPLICANT(S) FOR DO/EO/US Multicell Technologies, Inc.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input checked="" type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
TBD 10/5/4167		PCT/US04/33260		8028-007-US	
20. Other items or information:					
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$ 300	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))					
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				\$ 200	
All other situations..... \$200					
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))					
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100				\$ 100	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400					
All other situations..... \$500					
TOTAL OF 21, 22 and 23 =				600	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	52 - 20 =	32	x \$ 50	\$ 1600	
Independent claims	4 - 3 =	1	x \$200	\$ 200	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360	\$
TOTAL OF ABOVE CALCULATIONS =				\$ 2400	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				- 1200	
SUBTOTAL =				\$ 1200	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$ 1200	
				Amount to be refunded:	\$
				Amount to be charged	\$

10/574167

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

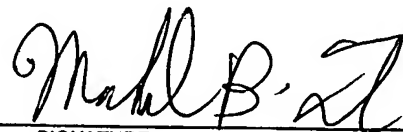
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 502235 in the amount of \$ 12.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 502235. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

CATALYST LAW GROUP, APC
9710 SCRANTON ROAD, SUITE 170
SAN DIEGO, CA 92121



SIGNATURE

Michael B. Farber, Esq.

NAME

32,612

REGISTRATION NUMBER